

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 536 be amended to read as follows:

- 1 Page 1, between lines 16 and 17, begin a new line block indented
- 2 and insert:
- 3 **"(1) One percent (1%) of the money in the fund annually shall**
- 4 **be transferred to the state general fund to replace revenue lost**
- 5 **as the result of life long learning credits granted under**
- 6 **IC 6-3.1-29 plus any administrative fees retained by the**
- 7 **department of workforce development under**
- 8 **IC 6-3.1-29-21(e)."**
- 9 Page 1, line 17, delete "(1)" and insert "(2)".
- 10 Page 2, between lines 1 and 2, begin a new line block indented and
- 11 insert:
- 12 **"(3) Five hundred thousand dollars (\$500,000) shall be**
- 13 **allocated annually for training and counseling assistance**
- 14 **described in subsection (j)."**
- 15 Page 2, line 2, delete "(2)" and insert "(4)".
- 16 Page 2, between lines 38 and 39, begin a new paragraph and insert:
- 17 **"(j) The department of workforce development shall establish**
- 18 **procedures for applications for grants for training and counseling**
- 19 **assistance for individuals who:**
- 20 **(1) are:**
- 21 **(A) members of a minority group (as defined in**
- 22 **IC 4-13-16.5-1); or**
- 23 **(B) women;**
- 24 **(2) have been unemployed for at least four (4) weeks; and**
- 25 **(3) are not otherwise eligible for training and counseling**

1 **assistance under any other program.**

2 **The corporation shall award grants for training and counseling**  
 3 **assistance under this subsection in accordance with the guidelines**  
 4 **adopted by the department of workforce development."**

5 Page 8, line 21, delete "IC 22-4-24.5-1(c)" and insert  
 6 **"IC 5-28-27-3(b)(1)".**

7 Page 9, line 5, delete "IC 22-4-24.5-1(c)" and insert  
 8 **"IC 5-28-27-3(b)(1)".**

9 Page 10, delete lines 13 through 42.

10 Page 11, delete lines 1 through 40, begin a new paragraph and insert:

11 **"SECTION 6. IC 22-4-25-1 IS AMENDED TO READ AS**  
 12 **FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) There is**  
 13 **created in the state treasury a special fund to be known as the special**  
 14 **employment and training services fund. All interest on delinquent**  
 15 **contributions and penalties collected under this article, together with**  
 16 **any voluntary contributions tendered as a contribution to this fund, and**  
 17 **amounts deposited as required by IC 22-4-10.5-7(b); shall be paid into**  
 18 **this fund. The money shall not be expended or available for expenditure**  
 19 **in any manner which would permit their substitution for (or a**  
 20 **corresponding reduction in) federal funds which would in the absence**  
 21 **of said money be available to finance expenditures for the**  
 22 **administration of this article, but nothing in this section shall prevent**  
 23 **said money from being used as a revolving fund to cover expenditures**  
 24 **necessary and proper under the law for which federal funds have been**  
 25 **duly requested but not yet received, subject to the charging of such**  
 26 **expenditures against such funds when received. The money in this fund**  
 27 **shall be used by the board for the payment of refunds of interest on**  
 28 **delinquent contributions and penalties so collected, for the payment of**  
 29 **costs of administration which are found not to have been properly and**  
 30 **validly chargeable against federal grants or other funds received for or**  
 31 **in the employment and training services administration fund, on and**  
 32 **after July 1, 1945. Such money shall be available either to satisfy the**  
 33 **obligations incurred by the board directly, or by transfer by the board**  
 34 **of the required amount from the special employment and training**  
 35 **services fund to the employment and training services administration**  
 36 **fund. No expenditure of this fund shall be made unless and until the**  
 37 **board finds that no other funds are available or can properly be used to**  
 38 **finance such expenditures, except that expenditures from said fund may**  
 39 **be made for the purpose of acquiring lands and buildings or for the**  
 40 **erection of buildings on lands so acquired which are deemed necessary**  
 41 **by the board for the proper administration of this article. The board**  
 42 **shall order the transfer of such funds or the payment of any such**  
 43 **obligation or expenditure and such funds shall be paid by the treasurer**  
 44 **of state on requisition drawn by the board directing the auditor of state**  
 45 **to issue the auditor's warrant therefor. Any such warrant shall be drawn**  
 46 **by the state auditor based upon vouchers certified by the board or the**  
 47 **commissioner. The money in this fund is hereby specifically made**

1 available to replace within a reasonable time any money received by  
2 this state pursuant to 42 U.S.C. 502, as amended, which, because of any  
3 action or contingency, has been lost or has been expended for purposes  
4 other than or in amounts in excess of those approved by the bureau of  
5 employment security. The money in this fund shall be continuously  
6 available to the board for expenditures in accordance with the  
7 provisions of this section and shall not lapse at any time or be  
8 transferred to any other fund, except as provided in this article. Nothing  
9 in this section shall be construed to limit, alter, or amend the liability of  
10 the state assumed and created by IC 22-4-28, or to change the  
11 procedure prescribed in IC 22-4-28 for the satisfaction of such liability,  
12 except to the extent that such liability may be satisfied by and out of the  
13 funds of such special employment and training services fund created by  
14 this section.

15 (b) The board, subject to the approval of the budget agency and  
16 governor, is authorized and empowered to use all or any part of the  
17 funds in the special employment and training services fund for the  
18 purpose of acquiring suitable office space for the department by way of  
19 purchase, lease, contract, or in any part thereof to purchase land and  
20 erect thereon such buildings as the board determines necessary or to  
21 assist in financing the construction of any building erected by the state  
22 or any of its agencies wherein available space will be provided for the  
23 department under lease or contract between the department and the state  
24 or such other agency. The commissioner may transfer from the  
25 employment and training services administration fund to the special  
26 employment and training services fund amounts not exceeding funds  
27 specifically available to the commissioner for that purpose equivalent  
28 to the fair, reasonable rental value of any land and buildings acquired  
29 for its use until such time as the full amount of the purchase price of  
30 such land and buildings and such cost of repair and maintenance thereof  
31 as was expended from the special employment and training services  
32 fund has been returned to such fund.

33 (c) The board may also transfer from the employment and training  
34 services administration fund to the special employment and training  
35 services fund amounts not exceeding funds specifically available to the  
36 commissioner for that purpose equivalent to the fair, reasonable rental  
37 value of space used by the department in any building erected by the  
38 state or any of its agencies until such time as the department's  
39 proportionate amount of the purchase price of such building and the  
40 department's proportionate amount of such cost of repair and  
41 maintenance thereof as was expended from the special employment and  
42 training services fund has been returned to such fund.

43 (d) Whenever the balance in the special employment and training  
44 services fund is deemed excessive by the board, the board shall order  
45 payment into the unemployment insurance benefit fund of the amount  
46 of the special employment and training services fund deemed to be  
47 excessive.

(e) Subject to the approval of the board, the commissioner may use not more than five million dollars (\$5,000,000) during a program year for training provided by the state educational institution established under IC 20-12-61 to participants in joint labor and management apprenticeship programs approved by the United States Department of Labor's Bureau of Apprenticeship Training. Of the money allocated for training programs under this subsection, fifty percent (50%) is designated for industrial programs, and the remaining fifty (50%) percent is designated for building trade programs.

(f) ~~The commissioner shall allocate an amount not to exceed four hundred fifty thousand dollars (\$450,000) annually for training and counseling assistance under IC 22-4-14-2 provided by state educational institutions (as defined in IC 20-12-0.5-1) or counseling provided by the department of workforce development for individuals who:~~

~~(1) have been unemployed for at least four (4) weeks;~~

~~(2) are not otherwise eligible for training and counseling assistance under any other program; and~~

~~(3) are not participating in programs that duplicate those programs described in subsection (e).~~

~~Training or counseling provided under IC 22-4-14-2 does not excuse the claimant from complying with the requirements of IC 22-4-14-3. Eligibility for training and counseling assistance under this subsection shall not be determined until after the fourth week of eligibility for unemployment training compensation benefits. The training and counseling assistance programs funded by this subsection must be approved by the United States Department of Labor's Bureau of Apprenticeship Training."~~

Renumber all SECTIONS consecutively.

(Reference is to ESB 536 as printed March 25, 2005.)

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Representative Harris T